

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2011-154269-001 DT

05/31/2012

HONORABLE JOSEPH C. WELTY

CLERK OF THE COURT
D. McGraw
Deputy

STATE OF ARIZONA

PETER EICKER

v.

DANNY LEE FULTS (001)
DOB: 7/9/1979

LAURA MEYERS GLASS-HESS

APO-SENTENCE IMPRISON-CCC
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
RFR

SENTENCE OF IMPRISONMENT

9:23 a.m. This is the time set for Sentencing.

Courtroom South Court Tower 5C

State's Attorney: Kristin Nordeen for Peter Eicker
Defendant's Attorney: Laura Glass-Hess
Defendant: Present

Court Reporter, Lisa Vitoff, is present.

A record of the proceeding is also made by audio and/or videotape.

IT IS ORDERED that the docket be updated to reflect Defendant's date of birth is July 9, 1979.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 (as amended) SOLICITATION TO COMMIT POSSESSION OF
DANGEROUS DRUGS FOR SALE

Class 4 Felony

A.R.S. § 13-1002, 13-3401, 13-3407, 13-3407(A)(2), 13-3418, 12-116.04, 12-269, 13-3105, 13-701, 13-702, and 13-801

Date of Offense: June 27, 2011

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 2.5 year(s) from May 31, 2012

Presentence Incarceration Credit: 157 day(s)

Presumptive

Sentence is concurrent with CR2011-164824-001.

IT IS ORDERED the Defendant shall pay through the Clerk of the Superior Court:

FINE: Count 1 - Total amount of \$1,840.00, which includes surcharges of 84%.

Fine is to be paid to the Arizona Drug Enforcement Fund.

ASSESSMENTS:

Count 1: PROBATION SURCHARGE: \$20.00.

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in CR2011-163282-001 and CR2012-005998-001.

In the event the Defendant is released by the Department of Corrections on a temporary release basis pursuant to A.R.S. §31-233, and a term of Community Supervision has been waived pursuant to A.R.S. §13-603(K), the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

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IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

IT IS ORDERED granting the Motion To Dismiss the following: Counts 2-5.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the Arizona Department of Corrections to carry out the term of imprisonment set forth herein.

IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

The Defendant shall forfeit any firearm, magazine and/or ammunition referenced in Scottsdale Police Department Report #11-15220 to the State of Arizona.

It is the recommendation of the Court that the Defendant be housed in a specialized unit for drug and alcohol treatment and rehabilitation.

9:47 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JOSEPH C. WELTY
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)